



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

9:30 a.m.
July 26, 2005

MINUTES – REGULAR MEETING

2425 Bristol Ct SW, Room 148
Olympia, Washington

COMMISSION MEMBERS PRESENT

Earl Tilly, Chair
Jane Noland, Vice Chair
Bill Brumsickle, Secretary
Michael Connelly, Member
Ken Schellberg, Member

STAFF PRESENT

Vicki Rippie, Executive Director
Doug Ellis, Assistant Director
Michael Smith, Chief Technology Officer
Phil Stutzman, Director of Compliance
Suemary Trobaugh, Administrative Officer
Lori Anderson, Acting Communications
and Training Officer
Nancy Krier, Senior Counsel
Linda Dalton, Sr. Asst. Attorney General
Linda Moran, Sr. Asst. Attorney General
Chip Beatty, Secretary

The regular meeting of the Public Disclosure Commission was called to order by Commission Chair Earl Tilly at 9:30 a.m. at 2425 Bristol Court, Room 148, Olympia, Washington.

Strategic Plan Review

The Commission members, management staff and the assistant attorneys general advising the Commission spent the morning reviewing the agency's strategic plan. The planning session, facilitated by Senior Assistant Attorney General Linda Moran, focused on examining the Commission's mission and vision statements and modifying its goals and objectives, as well as reevaluating its strengths, weaknesses, opportunities, and challenges.

Executive Session

The Commission went into executive session at 11:57 a.m. to discuss pending and potential litigation with legal counsel as well as to review the performance of management staff.

Public Session

The Commission returned to public session at 1:20 p.m.

Motion 06-01

Moved by Commissioner Connelly, seconded by Commissioner Schellberg:

The Commission recommends the Attorney General file of an amicus brief in *California Pro-Life Council v. Randolph, et al (formerly Getman)*.

The motion passed unanimously.

Employee Performance Review

The Commission completed its evaluation of the Executive Director Vicki Rippie for the last fiscal year. Commissioner Connelly stated how impressed and pleased the Commission is with her performance.

Motion 06-02

Moved by Commissioner Connelly, seconded by Commissioner Brumsickle:

For the Executive Director, a 5% merit increase effective July 1, 2005 (\$89,236) and a 3.2% cost of living adjustment effective September 1, 2005 (\$92,092).

The motion passed unanimously.

Ms. Rippie outlines the following increases for staff:

Michael Smith - a 5% merit increase effective July 1, 2005 (\$79,973) and a 3.2% cost of living adjustment effective September 1, 2005 (\$82,532).

Doug Ellis - promotion to permanent Assistant Director effective July 1, 2005 with a base salary of \$69,541 and a 3.2% cost of living adjustment effective September 1, 2005 (\$71,766).

Phil Stutzman - a 3.8% merit increase effective July 1, 2005 (\$59,504) and a 3.2% cost of living adjustment effective September 1, 2005 (\$61,408).

Suemary Trobaugh and Lori Anderson: a 3.2% cost of living adjustment effective September 1, 2005 (\$53,664 and \$49,544 respectively).

Motion 06-03

Moved by Commissioner Connelly, seconded by Commissioner Schellberg:

The Commission approves the increases as set forth by the Executive Director.

The motion passed unanimously.

Legislation

Ms. Rippie outlined five PDC-related issues that may come before the Legislature in 2006.

Agency Request Legislation: The Commission again expressed interest in pursuing a) an increase in their penalty authority so that only the most egregious violations are referred to the Office of the Attorney General for resolution, and b) modestly revising the citizen action complaint process to provide more time to investigate these complaints. The Commission directed staff to provide draft legislation for consideration at the September meeting.

2006 Supplemental Budget Issue: Ms. Rippie noted that Rep. Jim Moeller is expected to attend the Commission's September meeting to seek support for a \$100,000 budget appropriation to fund a feasibility study. The study would be conducted by a private sector consultant and focus on the anticipated costs and components of a new, robust, user-friendly electronic filing system for lobbyists and their employers. In 2004, the Commission agreed that such a feasibility study would be the logical first step in creating such a system.

"Elected Legislative Body" and AGO 2005 No. 4: In response to a letter dated July 19, 2005, from seven special purpose district associations and the history of special purpose districts engaging in activity specified in RCW 42.17.130(1), the Commission determined

that an enforcement moratorium would be appropriate to allow the Legislature time to act.

Motion 06-04

Moved by Commissioner Noland, seconded by Commissioner Connelly;

Pending clarification by the Legislature during the 2006 session regarding the application of RCW 42.17.130(1), staff is directed not to take enforcement action against special purpose districts that engage in activities authorized for “legislative” bodies consistent with RCW 42.17.130 (1).

The motion passed unanimously.

Contribution Limits for Judicial Candidates:

Commissioners discussed their individual perceptions regarding limits on contributions to judicial candidates and the agency’s historical neutrality on bills related to regulating campaign activity. They agreed to examine future proposals and consider taking a position on them.

Technical Re-Write of Chapter 42.17 RCW: As was mentioned by Ms. Rippie during discussion of the strategic plan, legislative staff is actively engaged in re-organizing and re-writing the Public Disclosure Law for clarity and internal consistency. A bill draft is expected by the end of December.

Enforcement Related Topics

Senior Counsel Nancy Krier presented two draft brochures describing PDC’s adjudicative proceeding (hearing) procedures, one relating to brief hearings and the other to hearings before the full Commission. If the latter is approved, WAC 390-37-136 (Production of documents and use at hearing) will have to be amended accordingly. The Commission members agreed that these hearing procedures would be discussed more fully at their October meeting.

ORCA Presentation

Michael Smith introduced the IT division staff to the Commission and previewed the new Online Reporting of Campaign Activity (ORCA) software, highlighting the various improvements that simplify the process for electronic filers.

Adjournment

Chair Tilly adjourned the meeting at 3:55 p.m. The next meeting is scheduled for Thursday, August 11, 2005.

Approved by the Commission
9/15/05